



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCIS J. HARVEY, JR. and
JEAN P. WILHELM,

Plaintiffs,

-against-

320 OWNERS CORP. and CHARLES
LOWERY, in his capacity as President
of 320 Owners Corp.,

Defendants.
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07 CV 6763 (LAP)

ORDER

LORETTA A. PRESKA, United States District Judge:

In response to Mr. Somerstein's August 7 letter, the Court is concerned that there is no federal question presented in this action, including, inter alia, that Plaintiffs might not state a claim under 42 U.S.C. § 1983.

SO ORDERED:

Dated: August 14, 2007


LORETTA A. PRESKA, U.S.D.J.